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Compilation on Cyprus

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1][2]

2. The Committee on Economic, Social and Cultural Rights encouraged Cyprus to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Committee on the Elimination of Racial Discrimination and the Special Rapporteur in the field of cultural rights made a similar recommendation.[3]

3. The Committee on Economic, Social and Cultural Rights encouraged Cyprus to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.[4]

4. The same Committee encouraged Cyprus to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The Special Rapporteur on cultural rights made a similar recommendation.[5]

5. The Committee on the Rights of the Child urged Cyprus to withdraw the declaration on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, considering that it amounted to a reservation to articles 1 and 2 of the Optional Protocol and went against its object and purpose.[6]

6. The Committee on the Elimination of Racial Discrimination encouraged Cyprus to consider ratifying the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). The Committee on the Elimination of Discrimination against Women made a similar recommendation.[7]

7. The Committee on the Elimination of Discrimination against Women recommended that Cyprus ratify the ILO Private Employment Agencies Convention, 1997 (No. 181).[8]

8. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Cyprus accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The Committee on the Rights of Persons with Disabilities, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women made similar recommendations.[9]

9. Cyprus contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2014, 2015, 2016, and 2017.

III. National human rights framework[10]

10. The Committee on Economic, Social and Cultural Rights recommended that Cyprus take all appropriate measures to ensure that the rights enshrined in the Covenant on Economic, Social and Cultural Rights were fully incorporated in its domestic legal order and, as with civil and political rights, had constitutional rank in order to ensure that they were protected by the domestic courts at all levels.[11]

11. The same Committee recommended that Cyprus take all measures necessary to ensure that the Office of the Commissioner for Administration and Human Rights was fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It recommended that Cyprus base the appointment process on the principles of openness, participation and transparency, ensure that the promotional mandate of the Commissioner was explicitly provided by law, allocate sufficient resources to, and ensure the financial autonomy of, the Office of the Commissioner, and empower it to recruit its own staff.[12]

12. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment noted that the Office of the Commissioner for Administration and Human Rights was designated as the national preventive mechanism by virtue of Law No. 2 (III) of 2009. It was seriously concerned by subsections (2) and (3) of section 5 of that Law, which required the Commissioner to provide prior written notification of the intention to visit a place of detention and the time and date of the planned visit.[13]

13. The Committee on the Rights of Persons with Disabilities was concerned that national legislation lacked a definition of discrimination that recognized that denial of OKreasonable accommodation was a form of disability-based discrimination in all areas of life.[14]

14. The Special Rapporteur on cultural rights noted that the 1960 Constitution contained no specific provisions expressly protecting the right to participate in cultural life.[15]

15. The Committee on the Rights of the Child urged Cyprus to review and amend its National Guard law to allow compulsory recruitment only if the person concerned had reached 18 years of age on the date of recruitment.[16]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[17]

16. The Human Rights Committee was concerned about reports that the nationality laws were applied in a discriminatory manner in relation to individuals from particular groups,

particularly children of Turkish Cypriots and persons of South-East Asian origin, and that members of the latter group encountered obstacles in attaining Cypriot citizenship, despite meeting the legal requirements to acquire it. It recommended that Cyprus take adequate measures to ensure that the nationality laws were applied indiscriminately on the basis of clearly defined criteria. It recommended that it ensure that applicants had access to information concerning the requirements of citizenship and that they received a decision on their application for citizenship within a reasonable period of time.[18]

17. The Special Rapporteur on cultural rights considered the rigid classification of all citizens into members of either the Greek Cypriot or Turkish Cypriot "communities" as problematic and not in line with human rights standards. She noted that that imposed choices about cultural identity and membership in a specific group on people in violation of their cultural rights. She stated that such classification risked reducing those not in the categories in question to secondary status and created a sense of inequality. She noted that a specific concern related to article 2 (7) of the Constitution, which stated that married women should belong to the "community" to which their husbands belonged and that children under the age of 21 who were not married should belong to the "community" to which their fathers belonged.[19]

18. The Committee on Economic, Social and Cultural Rights was concerned at the persistent discrimination against non-European Union migrants, Turkish Cypriots and members of ethnic minorities, especially Roma. It was also concerned at the remaining discriminatory provisions in existing legislation, such as section 5 of the Equal Treatment in Employment and Occupation Law of 2004, which did not cover discrimination based on nationality, the legal protection gap regarding multiple discrimination or the limited scope of anti-discrimination jurisprudence, reportedly owing to the lack of awareness of the anti-discrimination laws. It urged Cyprus to review the existing legislation with a view to removing all discriminatory provisions. It recommended that Cyprus adopt a comprehensive anti-discrimination law that prohibited all direct, indirect and multiple forms of discrimination on any grounds and that provided for effective remedies for victims of discrimination, including within judicial and administrative proceedings.[20]

19. The Human Rights Committee recommended that Cyprus strengthen its efforts to eradicate racial discrimination against Turkish Cypriots, Roma and other minorities by, inter alia, conducting public awareness-raising campaigns to promote tolerance and respect for diversity.[21]

20. The Committee on the Elimination of Racial Discrimination recommended that Cyprus develop a comprehensive strategy for the inclusion of members of the Roma (Kurbet) community to ensure that they had access to adequate housing, education (including in their language, where and when appropriate), employment and health care without discrimination or stigma.[22]

21. The Special Rapporteur on cultural rights expressed concern about discourses of exclusion, hatred or superiority that were still purveyed in some quarters on all sides, noting particular concern about attacks on cultural events, artists and sites. She noted claims that impunity for such acts was common, due to a lack of prosecution, and that police records might not reflect the extent of racist crime in Cyprus.[23]

22. The ILO Committee of Experts on the Application of Conventions and Recommendations encouraged Cyprus to undertake studies or research to analyse the situation of the different groups in the labour market, in particular third-country nationals, Turkish Cypriots and members of national minorities, especially Roma and Pontian Greeks, with a view to eliminating any discrimination against them on the grounds of race, national extraction and colour.[24]

23. The Human Rights Committee recommended that Cyprus amend its legislation to ensure that children of women who had been internally displaced had the same benefits as children of internally displaced men, without any kind of distinction.[25]

24. The Special Rapporteur on cultural rights recommended that awareness-raising campaigns and educational programmes, including in schools, be developed on the meaning and importance of cultural heritage in all its diversity.[26]

B. Civil and political rights

1. Right to life, liberty and security of person[27]

25. The Secretary-General stated that, as at 20 June 2018, the bicommunal team of archaeologists of the Committee on Missing Persons in Cyprus had exhumed the remains of 1,217 persons on both sides of the island. The remains of 870 missing persons, of a total of 2,002, had been identified and returned to their respective families.[28]

26. The Committee against Torture recommended that Cyprus ensure that the Attorney General was duly informed of all the allegations of torture or ill-treatment received by the Independent Authority for the Investigation of Allegations and Complaints against the Police and carried out prompt, effective and impartial investigations whenever there were reasonable grounds to believe that acts of torture or ill-treatment had been committed. It also recommended that Cyprus duly bring to trial alleged perpetrators of acts of torture or ill-treatment and, if they were found guilty, punish them with penalties proportionate to the grave nature of their acts.[29]

27. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that detainees underwent systematic medical screening and that, when they were necessary, such screenings be carried out in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol).[30]

28. The Committee against Torture recommended that Cyprus ensure that all incidents of death, suicide, attempted suicide and violence in custody were reported to central authorities for monitoring purposes, and that all cases were effectively and independently investigated and, on a finding of criminal responsibility, led to a penalty proportional to the gravity of the offence.[31]

29. It remained concerned by the numerous allegations of ill-treatment by police in the Menoyia detention centre. It noted that it had received information regarding very limited outdoor access, the poor quality of food and frequent resort to solitary confinement.[32]

30. The Human Rights Committee, while noting the efforts made by Cyprus to reduce overcrowding and improve the conditions of detention, remained concerned at reports of inter-prisoner violence, including gang rape, the use of solitary confinement for excessive periods of time and of minors and migrants not always being segregated from the rest of the detained population.[33]

31. The Committee against Torture recommended that Cyprus revise the Prison Law and Regulations in order to ensure that solitary confinement was never applied to juveniles in conflict with the law or to persons with psychosocial disabilities and that it remained a measure of last resort, imposed for as short a time as possible, under strict supervision and judicial review. It stated that the practice of imposing informal disciplinary isolation should be strictly prohibited.[34]

32. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that all sanitary facilities in the juvenile wing of Nicosia central prison were clean and in good hygienic conditions. It recommended that every juvenile detainee be provided with sufficient and clean bedding.[35]

33. It also recommended that Cyprus review its laws and practices to reduce the length of pretrial detention and reminded Cyprus that police stations should not be used as places of detention for extended periods of time, as set out in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).[36]

34. The Committee against Torture was concerned by information about obstacles that impeded Turkish Cypriot prisoners detained in the southern part of the island receiving visits from family and friends.[37]

2. Administration of justice, including impunity, and the rule of law[38]

35. The Committee against Torture recommended that Cyprus redouble its efforts to guarantee that the relatives of missing persons identified by the Committee on Missing Persons in Cyprus received appropriate redress, including the means for their psychological rehabilitation, compensation, satisfaction and for the implementation of the right to truth.[39]

36. The Human Rights Committee recommended that Cyprus ensure that cases of racially motivated violence were promptly investigated, that perpetrators were prosecuted and, where appropriate, punished, and that compensation was awarded to victims.[40]

37. The Subcommittee on Prevention of Torture recommended that Cyprus establish, as a matter of priority, an effective and expeditious system for providing free legal aid from the start of detention. It also recommended that Cyprus ensure that all detained persons were informed, both orally and in writing, of their rights in a language that they understood, of legal remedies and of how to challenge the lawfulness of their detention.[41]

3. Fundamental freedoms and the right to participate in public and political life[42]

38. The Human Rights Committee recommended that Cyprus continue its efforts to open new crossing points and take measures to facilitate greater access by residents of the northern part of the island to the southern part.[43]

39. The Secretary-General expressed concerns about restrictions that hampered religious worship on the island, including time limitations on religious worship in mosques in the south, and called for all restrictions on the freedom of worship, including those relating to access to religious sites, to be lifted.[44]

40. The Special Rapporteur on cultural rights noted that some mosques, minarets, graveyards, community centres and schools were reportedly neglected, resulting in further damage. She noted that in some cases, mosques were reportedly used as barns and graveyards turned into grazing land for animals.[45]

41. She recommended that Cyprus continue and increase its efforts towards greater access by all to cultural heritage sites, in dignity, ending de facto impediments, including through simplifying processes for accessing particular sites and providing for essential facilities such as water and washrooms in restored mosques.[46]

42. The Human Rights Committee recommended that Cyprus ensure that all future amendments and laws concerning participation in elections were disseminated and published in both official languages.[47]

4. Prohibition of all forms of slavery[48]

43. The Committee on Economic, Social and Cultural Rights called upon Cyprus to step up its efforts to effectively investigate acts of trafficking and to prosecute and punish perpetrators with penalties commensurate with the gravity of the offences. It recommended that it take effective measures to strictly enforce existing legislation pertaining to private employment agencies and monitor their activities with a view to preventing trafficking in migrant workers, particularly women.[49]

44. The Committee on the Elimination of Discrimination against Women was concerned about reports that victims of trafficking were sometimes arrested, detained and deported for acts committed as a consequence of having been trafficked. It also expressed concern about the lack of systematic rehabilitation and reintegration measures, counselling, medical treatment, psychological support and redress, including compensation, for victims of trafficking, in particular those who were unable or unwilling to cooperate with the prosecution authorities in proceedings against traffickers. It was further concerned about the insufficient number and coverage of shelters for victims of trafficking.[50]

5. Right to privacy and family life

45. UNHCR recommended that Cyprus facilitate family unity by reintroducing a right for beneficiaries of subsidiary protection to apply for family reunification.[51]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[52]

46. The Committee on Economic, Social and Cultural Rights recommended that Cyprus step up its efforts to reduce unemployment, including by continuing to prioritize adequate vocational training, especially for the long-term unemployed in order to strengthen their position in the labour market. It also recommended that Cyprus continue to strengthen its actions to combat youth unemployment.[53]

47. The same Committee recommended that Cyprus increase the minimum wages and regularly adjust them to the cost of living so as to ensure an adequate standard of living for workers and their families.[54]

48. The same Committee reiterated its concern that non-European Union migrants continued to experience labour exploitation and social isolation, especially those working in the farming and agricultural sector. It was concerned at the precarious situation of domestic workers, the majority of whom were non-European Union migrant women, and at the absence of labour inspections to monitor their working conditions.[55]

49. The Committee on the Elimination of Racial Discrimination reiterated its concern that domestic workers remained vulnerable to exploitation and abuse.[56]

50. The Committee on the Elimination of Discrimination against Women recommended that Cyprus adopt a specific law regulating domestic employment, with adequate sanctions for employers engaging in abusive practices.[57]

51. The same Committee recommended that Cyprus strictly enforce the Equal Pay for Men and Women for Equal Work or Work of Equal Value (Amendment) Law, including by imposing sanctions for non-compliance, and adopt further measures to close the gender wage gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys.[58]

52. The ILO Committee of Experts stated that the employers' obligations in the case of migrant workers in an irregular situation should include the payment of wages and social security and other benefits, including compensation for occupational accidents, for the effective period of their employment relationship, especially in cases where such workers were liable to be expelled from the country.[59]

53. The Committee on Economic, Social and Cultural Rights recommended that Cyprus expand the range of jobs and employment opportunities that asylum seekers could access.[60]

2. Right to social security[61]

54. The Committee on the Rights of Persons with Disabilities was concerned about the limited access to early intervention and support provided to children with disabilities and their families, especially within the educational, health and social sector, and about the inadequate financial allowances available for families of children with disabilities.[62]

55. The Committee on Economic, Social and Cultural Rights recommended that Cyprus increase the amount of the social assistance benefits provided to asylum seekers to the level of the guaranteed minimum income to ensure an adequate standard of living.[63]

3. Right to an adequate standard of living[64]

56. The same Committee was concerned that the number of persons living in poverty had significantly increased and recommended that Cyprus intensify its efforts to combat poverty, including through the comprehensive analysis of the needs of the most disadvantaged and marginalized individuals and groups and the adoption of concrete and targeted measures to address those needs.[65]

57. The same Committee recommended that Cyprus take all measures necessary to ensure the right to adequate housing for all and to increase the budget allocation to housing with a view to providing affordable social housing units, improving the existing housing conditions for disadvantaged and marginalized individuals and groups, and addressing the

issue of rent arrears. It also recommended that Cyprus ensure that a legal framework was in place establishing the procedures to be followed in the case of evictions that was in line with the international standards and guidelines contained in the Committee's general comment No. 7 (1997) on forced evictions.[66]

4. Right to health[67]

58. The same Committee was concerned at the limited range of health-care services provided by the public health system and long waiting lists. It was also concerned that asylum seekers and undocumented migrants were reportedly limited in their access to health-care services, despite the measures taken by Cyprus.[68]

59. The Committee on the Rights of Persons with Disabilities was concerned about the insufficient accessibility to health-care services by persons with disabilities.[69]

60. The Committee on the Elimination of Discrimination against Women was concerned about the limited access to contraceptives, in particular modern contraceptives, especially for girls and disadvantaged groups of women.[70]

5. Right to education[71]

61. The same Committee was concerned about the high number of girls who suffered from discrimination and sexual harassment in schools and the disproportionate number of Turkish Cypriot, migrant, refugee, asylum-seeking and Roma girls, as well as pregnant girls and girls with disabilities, who continued to face difficulties in gaining access to high-quality education, despite the efforts made by the State party.[72]

62. The Committee on the Elimination of Racial Discrimination was concerned that members of the Roma (Kurbet) community continued to face discrimination and stigmatization, as well as challenges such as low school attendance and high dropout rates.[73]

63. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that Cyprus should be encouraged to develop a comprehensive strategy to ensure adequate and equal access to education by the Roma (Kurbet) community.[74]

64. The Committee on Economic, Social and Cultural Rights recommended that Cyprus review the legal definition of inclusive education with a view to bringing it into line with international norms. It also recommended that it step up its efforts to ensure that all children with disabilities were provided with reasonable accommodation to fully participate in inclusive education at all levels of education.[75]

65. OHCHR stated that there had been no developments regarding the establishment of a Turkish-language school in Limassol, although Turkish-speaking pupils had access to Turkish-language education at a primary school and a high school there.[76]

D. Rights of specific persons or groups

1. Women[77]

66. The Committee on the Elimination of Discrimination against Women recommended that Cyprus strengthen the representation of women in decision-making positions in political life, particularly in the parliament and on municipal councils, in the Cabinet and as mayors, in the diplomatic service and in peace negotiations, with a view to reaching the targets and quotas included in the national action plan on gender equality.[78]

67. The Committee on Economic, Social and Cultural Rights recommended that Cyprus take all measures necessary to increase the level of participation of women in the labour market, and increase women's representation in decision-making positions in the public sector and encourage greater representation of women in senior positions in the private sector.[79]

68. The same Committee recommended that Cyprus intensify its efforts to ensure that all reported cases of domestic violence were promptly and thoroughly investigated and that

the perpetrators were punished with penalties commensurate with the gravity of the offences. It recommended that it provide adequate support to the victims of domestic violence by increasing the number of shelters and allocating sufficient funding for legal aid, as well as physical and psychological treatment. Furthermore, it recommended that Cyprus improve the data-collection system on domestic violence.[80]

2. Children[81]

69. The Human Rights Committee recommended that Cyprus take measures to ensure that juvenile offenders were tried before a specialized court for juveniles and were separated from adults in detention facilities. It also recommended that it ensure the provision of alternatives to imprisonment as the primary course of action for juveniles and that juvenile offenders were detained only as a last resort and for as short a period of time as possible.[82]

70. The Subcommittee on prevention of Torture also recommended that Cyprus provide unaccompanied minors with a guardian to keep them informed of their legal situation and to effectively protect their interests. It also recommended that Cyprus ensure that every unaccompanied minor had effective access to an education that was suited to his or her needs and abilities and that was designed to prepare him or her for inclusion in society.[83]

3. Persons with disabilities[84]

71. The Committee on the Rights of Persons with Disabilities recommended that Cyprus ensure access to safe, affordable, accessible and sustainable transport for all, including persons with disabilities regardless of their type of impairment.[85]

72. The same Committee recommended that Cyprus strengthen and implement legislation and provide for accessible monitoring and reporting mechanisms to detect, prevent and combat all forms of violence, including sexual violence, against persons with disabilities in all settings, including all types of institutions, with a particular focus on women and children with disabilities.[86]

73. The same Committee was concerned by the high level of unemployment and lack of gender, age and disability disaggregated data regarding employment of persons with disabilities, and about the insufficient measures to promote their inclusion into the open labour market regardless of the type of impairment.[87]

74. The same Committee took note of the guaranteed minimum income, but remained concerned that a high number of persons with disabilities had a particularly low income. It was concerned that, regardless of their income, persons with disabilities did not have an adequate standard of living compared with others in a comparable situation of life, inter alia, because they were required to partly pay for necessary disability-associated costs and assistive devices and were subjected to payments for using social services.[88]

4. Minorities and indigenous peoples[89]

75. The Human Rights Committee recommended that Cyprus continue its efforts to eradicate the economic, linguistic and cultural barriers facing Turkish Cypriots and other minorities. It recommended that Cyprus intensify its efforts to integrate Turkish Cypriots into the civil service and the judiciary, including through the introduction of temporary special measures, and consider easing the language requirements for entering the civil service. It also recommended that Cyprus consider establishing a Turkish school in Limassol.[90]

76. The Special Rapporteur on cultural rights noted in particular the desire expressed by Maronites and Armenians to be recognized as historical minorities.[91]

5. Migrants, refugees, asylum seekers and internally displaced persons[92]

77. UNHCR recommended that Cyprus develop transparent standard operating procedures on refugee status determination. It also recommended that Cyprus develop the capacity of the medical council to conduct physical as well as psychological evaluations of survivors of torture.[93]

78. UNHCR recommended that Cyprus establish a method for the early and systemic identification of persons with specific needs and permit access to special needs assistance, including special reception conditions and disability allowances.[94]

79. The Committee against Torture recommended that Cyprus urgently improve the screening system introduced by the Asylum Service to ensure that effective measures were in place to identify as early as possible victims of torture and trafficking, and provide them with immediate rehabilitation and priority access to the asylum determination procedure.[95]

80. The Committee on the Rights of the Child urged Cyprus to establish a mechanism for early detection of all migrant, asylum-seeking and refugee children who were at risk or had been recruited and/or used in hostilities, and take all necessary measures to ensure its effective functioning.[96]

81. The Committee against Torture urged Cyprus to ensure that persons in need of international protection, including those fleeing indiscriminate violence, were not detained or, if at all, only as a measure of last resort, after alternatives to detention had been duly examined and exhausted and for as short a period as possible. It stated that Cyprus should also refrain from applying the Aliens and Immigration Law to asylum seekers.[97]

82. The Committee on Economic, Social and Cultural Rights recommended that Cyprus review its asylum detention policy with a view to limiting the detention of asylum seekers only to situations in which it was absolutely necessary and shortening the time that rejected asylum seekers spent in detention to an indispensable minimum, and apply, as a rule, measures and alternatives to detention.[98]

83. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that undocumented migrants were detained only as a measure of last resort and that it immediately prioritize non-custodial measures.[99]

84. It recommended that Cyprus promptly provide undocumented migrants in detention with detailed and accurate information concerning their legal status and all the procedures affecting them, including their refugee status determination, deportation and possible means of appeal and remedies.[100]

85. The Committee against Torture recommended that Cyprus amend the Refugee Law and the Law on Provision of Legal Aid in order to guarantee access to independent, qualified and free-of-charge legal assistance for asylum seekers during the entire asylum procedure, at first instance level and during the judicial review, as well as for undocumented immigrants, including unaccompanied minors, in addition to the appointment of a guardian, in order to challenge the lawfulness and duration of their deportation and detention orders.[101]

86. The Subcommittee on Prevention of Torture was concerned at the lack of hot water in the open reception centre for migrants at Kofinou and the appalling state of some of the communal toilets and shower blocks. It noted that over one third of the centre's population was made up of young children.[102]

87. The Committee on Economic, Social and Cultural Rights recommended that Cyprus continue its efforts to expand the reception capacity of the existing reception centre in Kofinou and consider creating additional capacity elsewhere, and ensure that the emergency facility was used only for its initial purpose. It recommended that Cyprus improve the services provided to asylum seekers at the reception centre, including health-care services, social and psychological counselling and language and vocational training, and make transportation to asylum seekers' workplaces available. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that children were provided with education in a language that they understood, while also providing lessons in local languages in order to enhance access to learning and, more generally, social integration.[103]

6. Stateless persons

88. UNHCR recommended that Cyprus develop national legislation and procedures addressing statelessness and ensure the right to nationality for children born to parents who were beneficiaries of international protection, asylum seekers or stateless themselves.[104]

89. The Committee on the Elimination of Discrimination against Women recommended that Cyprus disseminate information on the right of migrant women, including those in an irregular situation, to obtain birth certificates for their children and facilitate the delivery of birth certificates to undocumented migrant women for their children born in the State party.[105]

E. Specific regions or territories

90. OHCHR stated that due to the persistent division of Cyprus, monitoring of and reporting on the human rights situation in the northern part of the island had remained limited.[106]

91. It stated that access to sites to hold religious services and other commemorative activities in the north of the island was facilitated by the United Nations Peacekeeping Force in Cyprus, upon request, which had noted with concern the decline in the number of religious services approved for it to facilitate, compared with the same period in 2015–2016, as well as other limitations and restrictions that had hampered worship.[107]

92. OHCHR noted the restrictive criteria for granting permits to conduct religious services outlined by the Turkish Cypriot authorities, raising serious concerns about the accessibility of religious sites and the enjoyment of freedom of religion and cultural rights.[108]

93. The Committee on Economic, Social and Cultural Rights was deeply concerned at the massive destruction of cultural heritage sites and artefacts, mostly in the northern part of Cyprus. It was also concerned at the limited access of people in Cyprus to their cultural heritage sites.[109]

94. The Special Rapporteur on cultural rights stated that she had received extensive documentation and testimonies about churches, monasteries, cemeteries and archaeological sites that continued to deteriorate. She stated that many stakeholders expressed concern about the inappropriate use of a number of churches, in particular Orthodox churches.[110]

95. She stated that sacred objects, icons and frescoes had been removed illegally from abandoned churches in the north and sold on the international market. Looting had been widespread and systematically organized.[111]

96. She stated that the Turkish Cypriot authorities had put in place restrictive arrangements for collective access and that sometimes demands were rejected with no explanation.[112]

97. She also noted that an additional effort to alter the symbolic, historical and cultural landscape was the systematic changing of the names of places, streets and villages in the north.[113]

98. OHCHR noted that the Security Council had called on both sides to allow access to deminers and to facilitate the removal of the remaining mines within the buffer zone, and urged both sides to extend demining operations outside the buffer zone.[114]

99. It stated that property rights were an issue of concern in the buffer zone, where the United Nations Peacekeeping Force in Cyprus estimated that about 20 per cent of the arable land was being farmed without the authorization of its owners.[115]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Cyprus will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/CYIndex.aspx.

[2] For relevant recommendations, see A/HRC/26/14, paras. 114.1–114.15 and 114.58.

[3] E/C.12/CYP/CO/6, para. 46; CERD/C/CYP/CO/23-24, para. 28; and A/HRC/34/56/Add.1, para. 105.

[4] E/C.12/CYP/CO/6, para. 46.

[5] Ibid., para. 45; and A/HRC/34/56/Add.1, para. 105.

[6] CRC/C/OPAC/CYP/CO/1, paras. 7–8.
[7] CERD/C/CYP/CO/23-24, para. 28; and CEDAW/C/CYP/CO/8, para. 39 (f).
[8] CEDAW/C/CYP/CO/8, para. 29 (h).
[9] UNHCR submission for the universal periodic review of Cyprus, p. 5; CRPD/C/CYP/CO/1, para. 16 (d); CERD/C/CYP/CO/23-24, para. 28; and CEDAW/C/CYP/CO/8, para. 33 (b).
[10] For relevant recommendations, see A/HRC/26/14, paras. 114.16–114.24 and 114.54.
[11] E/C.12/CYP/CO/6, para. 6.
[12] Ibid., para. 8. See also CCPR/C/CYP/CO/4, para. 5; CERD/C/CYP/CO/23-24, paras. 14-15; and CEDAW/C/CYP/CO/8, para. 21.
[13] CAT/OP/CYP/1, paras. 86–87.
[14] CRPD/C/CYP/CO/1, para. 11.
[15] A/HRC/34/56/Add.1, para. 8.
[16] CRC/C/OPAC/CYP/CO/1, para. 10.
[17] For relevant recommendations, see A/HRC/26/14, paras. 114.25–114.29, 114.31–114.32, 114.40–114.43, 114.46–114.50, 114.75–114.76 and 114.105.
[18] CCPR/C/CYP/CO/4, para. 6.
[19] A/HRC/34/56/Add.1, paras. 28 and 30–32. See also CEDAW/C/CYP/CO/8, para. 14 (b).
[20] E/C.12/CYP/CO/6, paras. 13–14. See also CEDAW/C/CYP/CO/8, para. 15 (a)–(b).
[21] CCPR/C/CYP/CO/4, para. 7. See also CERD/C/CYP/CO/23-24, paras. 16-17; and A/HRC/34/56/Add.1, para. 106 (f).
[22] CERD/C/CYP/CO/23-24, para. 19.
[23] A/HRC/34/56/Add.1, para. 24.
[24] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3253718:NO.
[25] CCPR/C/CYP/CO/4, para. 9.
[26] A/HRC/34/56/Add.1, para. 99.
[27] For relevant recommendations, see A/HRC/26/14, paras. 114.51–114.52.
[28] S/2018/676, para. 45.
[29] CAT/C/CYP/CO/4, para. 8 (b) and (f). See also CCPR/C/CYP/CO/4, para. 11; CAT/OP/CYP/1, para. 25.
[30] CAT/OP/CYP/1, para. 16.
[31] CAT/C/CYP/CO/4, para. 15 (b).
[32] CAT/C/CYP/CO/4, para. 18.
[33] CCPR/C/CYP/CO/4, para. 15.
[34] CAT/C/CYP/CO/4, para. 15 (c).
[35] CAT/OP/CYP/1, para. 39.
[36] Ibid., para. 19.
[37] CAT/C/CYP/CO/4, para. 15.
[38] For relevant recommendations, see A/HRC/26/14, para. 114.94.
[39] CAT/C/CYP/CO/4, para. 21. See also CCPR/C/CYP/CO/4, para. 10.
[40] CCPR/C/CYP/CO/4, para. 7. See also CERD/C/CYP/CO/23-24, paras. 16-17; A/HRC/34/56/Add.1, para. 106 (f).
[41] CAT/OP/CYP/1, para. 14.
[42] For relevant recommendations, see A/HRC/26/14, paras. 114.72–114.73.
[43] CCPR/C/CYP/CO/4, para. 17.
[44] S/2018/25, para. 25.
[45] A/HRC/34/56/Add.1, para. 53.
[46] Ibid., para. 106 (b).
[47] CCPR/C/CYP/CO/4, para. 22.
[48] For relevant recommendations, see A/HRC/26/14, paras. 114.60–114.70 and 114.93.
[49] E/C.12/CYP/CO/6, para. 34.
[50] CEDAW/C/CYP/CO/8, para. 28 (c)–(e).
[51] UNHCR submission for the universal periodic review of Cyprus, p. 4.
[52] For relevant recommendations, see A/HRC/26/14, paras. 114.37–114.39 and 114.95–114.98.
[53] E/C.12/CYP/CO/6, para. 20.
[54] Ibid., para. 24.
[55] Ibid., para. 27.
[56] CERD/C/CYP/CO/23-24, para. 22.
[57] CEDAW/C/CYP/CO/8, para. 39 (a).
[58] Ibid., para. 37 (c). See also E/C.12/CYP/CO/6, para. 18 (c).
[59] www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3284013:NO.
[60] E/C.12/CYP/CO/6, para. 16 (e). See also CERD/C/CYP/CO/23-24, para. 21 (b); UNHCR submission for the universal periodic review of Cyprus, p. 4.

[61] For relevant recommendations, see A/HRC/26/14, para. 114.100.
[62] CRPD/C/CYP/CO/1, para. 19.
[63] E/C.12/CYP/CO/6, para. 16 (d). See also CERD/C/CYP/CO/23-24, para. 20 (c), UNHCR submission for the universal periodic review of Cyprus, p. 4.
[64] For relevant recommendations, see A/HRC/26/14, para. 114.99.
[65] E/C.12/CYP/CO/6, paras. 35–36.
[66] Ibid., para. 38.
[67] For relevant recommendations, see A/HRC/26/14, paras. 114.77–114.78.
[68] E/C.12/CYP/CO/6, para. 39.
[69] CRPD/C/CYP/CO/1, para. 51.
[70] CEDAW/C/CYP/CO/8, para. 40 (b).
[71] For relevant recommendations, see A/HRC/26/14, para. 114.30.
[72] CEDAW/C/CYP/CO/8, para. 34 (d).
[73] CERD/C/CYP/CO/23-24, para. 18.
[74] See UNESCO submission for the universal periodic review of Cyprus, para. 11.
[75] E/C.12/CYP/CO/6, para. 42. See also CRPD/C/CYP/CO/1, para. 49, UNESCO submission for the universal periodic review of Cyprus, p. 12.
[76] A/HRC/37/22, para. 55. In the absence of an OHCHR field presence in Cyprus, or of any specific monitoring mechanism, OHCHR relied on a variety of sources with particular knowledge of the human rights situation on the island. The Turkish Cypriot views on the reports on the question of human rights in Cyprus were submitted by the Permanent Mission of Turkey to the United Nations Office and other international organizations in Geneva addressed to OHCHR (A/HRC/28/G/16, A/HRC/31/G/8, A/HRC/34/G/13 and A/HRC/37/G/8).
[77] For relevant recommendations, see A/HRC/26/14, paras. 114.33–114.36, 114.55–114.57, 114.59 and 114.74.
[78] CEDAW/C/CYP/CO/8, para. 31 (a). See also CCPR/C/CYP/CO/4, para. 8.
[79] E/C.12/CYP/CO/6, para. 18 (a)–(b).
[80] Ibid., paras. 31–32. See also CAT/C/CYP/CO/4, para. 9 (a) and (b), CCPR/C/CYP/CO/4, para. 16, CEDAW/C/CYP/CO/8, paras. 26 (c) and (d) and 27 (e).
[81] For relevant recommendations, see A/HRC/26/14, para. 114.71.
[82] CCPR/C/CYP/CO/4, para. 20. See also CAT/OP/CYP/1, para. 37.
[83] CAT/OP/CYP/1, paras. 68 and 70.
[84] For relevant recommendations, see A/HRC/26/14, paras. 114.79–114.82.
[85] CRPD/C/CYP/CO/1, para. 28.
[86] Ibid., para. 40.
[87] Ibid., para. 53.
[88] Ibid., para. 55.
[89] For relevant recommendations, see A/HRC/26/14, paras. 114.44–114.45.
[90] CCPR/C/CYP/CO/4, para. 23.
[91] A/HRC/34/56/Add.1, para. 34.
[92] For relevant recommendations, see A/HRC/26/14, paras. 114.53, 114.83–114.92 and 114.101–114.104.
[93] UNHCR submission, p. 5.
[94] Ibid., p. 4.
[95] CAT/C/CYP/CO/4, para. 11 (a).
[96] CRC/C/OPAC/CYP/CO/1, para. 30 (a).
[97] CAT/C/CYP/CO/4, para. 16.
[98] E/C.12/CYP/CO/6, para. 16 (f). See also CCPR/C/CYP/CO/4, para. 14.
[99] CAT/OP/CYP/1, para. 56.
[100] Ibid., para. 60.
[101] CAT/C/CYP/CO/4, para. 14. See also CCPR/C/CYP/CO/4, para. 14 (c).
[102] CAT/OP/CYP/1, para. 52.
[103] E/C.12/CYP/CO/6, para. 16 (a)–(b); and CAT/OP/CYP/1, para. 54. See also CERD/C/CYP/CO/23-24, para. 21 (a), CEDAW/C/CYP/CO/8, para. 12 (c), UNHCR submission for the universal periodic review of Cyprus, p. 3.
[104] UNHCR submission, p. 5.
[105] CEDAW/C/CYP/CO/8, para. 33 (a).
[106] A/HRC/37/22, para. 5.
[107] Ibid., para. 44.
[108] Ibid., para. 43.
[109] E/C.12/CYP/CO/6, para. 43.
[110] A/HRC/34/56/Add.1, paras. 54 and 56.
[111] Ibid., para. 43.

[112] Ibid., para. 84.
[113] Ibid., para. 46.
[114] A/HRC/37/22, para. 13.
[115] Ibid., para. 36.